

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE KEURIG GREEN MOUNTAIN SINGLE-SERVE
COFFEE ANTITRUST LITIGATION.

CIVIL ACTION NO.: 14 Civ. MD 2542 (VSB) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court is Defendant Keurig's request (ECF No. 1862 (the "Request")) that the Court compel Plaintiffs Winn-Dixie Stores, Inc. and Bi-Lo Holding, LLC (together, "Winn-Dixie") to produce discovery related to its assignor, C&S Wholesale Grocers, Inc. ("C&S"). Having reviewed the parties' submissions, including the parties' letters at ECF Nos. 1875 and 1879, and having heard the parties' arguments during the discovery conference held today, August 1, 2022 (the "Conference"), the Request is GRANTED IN PART and DENIED IN PART as follows:

1. By **August 5, 2022**, Winn-Dixie shall:

- a. Run the search terms at ECF No. 1879-2 for the "three to four" C&S custodians (the "Custodians") that Winn-Dixie referenced at today's Conference (the "Search");
- b. Provide Keurig with the identity of the Custodians;
- c. Produce the May 10, 2013 contract, and any amendments thereto, between Winn-Dixie and C&S;

2. Winn-Dixie shall produce a Fed. R. Civ. P. 30(b)(6) witness from C&S to testify regarding the topics at ECF No. 1879-3. This includes C&S's reasoning for its decision

to assign its claims to Winn-Dixie which, as the Court ruled the July 14, 2022 telephone conference, is relevant. (See ECF No. 1876 at 47).

3. A telephone conference is scheduled for Friday, **August 5, 2022 at 4:00 pm** on the Court's conference line. Keurig and Winn-Dixie are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time. At the conference, Winn-Dixie shall be prepared to discuss the results of the Search.

The parties are directed to promptly order a transcript of today's Conference.

The Clerk of Court is respectfully directed to close ECF No. 1875.

Dated: New York, New York
 August 1, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge